

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Canceled)
2. (Currently Amended) ~~The positive~~ A positive electrode active material for a nonaqueous electrolyte secondary battery ~~according to claim 1, wherein the surface element is zirconium having at least a lithium-transition metal composite oxide of a layer structure,~~
wherein an existence ratio of zirconium is 20% or more on a surface of the lithium-transition metal composite oxide and at least a part of the zirconium on said surface is present as lithium zirconate.
- 3-4. (Canceled)
5. (Currently Amended) The positive electrode active material for a nonaqueous electrolyte secondary battery according to ~~claim 1,~~ claim 2, wherein the surface ~~elements are zirconium and further comprises~~ magnesium.
- 6-7. (Canceled)
8. (Previously Presented) A positive electrode mixture, comprising:
the positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 2, and
a conductive agent,
wherein the surface element exists between the positive electrode active material and the conductive agent.
- 9-13. (Canceled)
14. (Previously Presented) A nonaqueous electrolyte secondary battery, comprising:

a strip positive electrode constituted by forming, on at least one side of a strip positive electrode current collector, a positive electrode active material layer employing the positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 2;

a strip negative electrode constituted by forming, on at least one side of a strip negative electrode current collector, a negative electrode active material layer employing, as a negative electrode active material, a lithium metal, a lithium alloy, a carbon material capable of intercalating and deintercalating lithium ions or a compound capable of intercalating and deintercalating lithium ions; and

a strip separator;

in which: the strip positive electrode and the strip negative electrode laminated with the strip separator between them are wound plural times to form a web of the strip positive electrode and the strip negative electrode with the strip separator intervening between them.

15-16. (Canceled)

17. (Previously Presented) A nonaqueous electrolyte secondary battery, comprising:

a strip positive electrode constituted by forming, on at least one side of a strip positive electrode current collector, a positive electrode active material layer employing the positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 5;

a strip negative electrode constituted by forming, on at least one side of a strip negative electrode current collector, a negative electrode active material layer employing, as a negative electrode active material, a lithium metal, a lithium alloy, a carbon material capable

of intercalating and deintercalating lithium ions or a compound capable of intercalating and deintercalating lithium ions; and

a strip separator;

in which: the strip positive electrode and the strip negative electrode laminated with the strip separator between them are wound plural times to form a web of the strip positive electrode and the strip negative electrode with the strip separator intervening between them.

18. (Canceled)